

In The Matter Of:

W.K., et al v.

Red Roof Inns Inc, et al

PL Sum. J.

Ex. 014

Michael Thomas

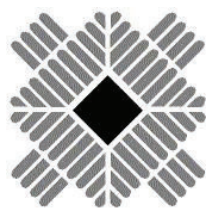
February 2, 2022

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Min-U-Script® with Word Index

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

W.K., E.H., M.M., R.P.,)	
M.B., D.P., A.F., C.A.,)	
R.K., K.P. and T.H.,)	
)	
Plaintiffs,)	CIVIL ACTION FILE
)	
vs.)	NO. 1:20-cv-5263-MHC
)	
RED ROOF INNS, INC., FMW)	
RRI NC, LLC, RED ROOF)	
FRANCHISING, LLC, RRI WEST)	
MANAGEMENT, LLC, VARAHI)	
HOTEL, LLC, WESTMONT)	
HOSPITALITY GROUP, INC.,)	
and RRI III, LLC,)	
)	
Defendants.)	
)	
<hr/> E.F.,)	
)	
Plaintiff,)	CIVIL ACTION FILE
)	
vs.)	NO. 1:20-CV-04373-SDG
)	
RED ROOF INNS., INC., RED)	
ROOF FRANCHISING, LLC, HJA)	
ENTERPRISES, INC., and SAI)	
NATIONAL HOSPITALITY)	DEPOSITION OF
VENTURES, LLC,)	MICHAEL THOMAS
)	
Defendants.)	February 2, 2022

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JANE DOE 1, JANE DOE 2,)
JANE DOE 3 and JANE DOE 4,)
Plaintiffs,) CIVIL ACTION FILE
vs.) NO. 1:21-cv-04278-WMR
WESTMONT HOSPITALITY)
GROUP, INC., RED ROOF INNS,)
INC.; FMW RRI NC, LLC, RED)
ROOF FRANCHISING, LLC, RRI)
WEST MANAGEMENT, LLC and)
VARAHI HOTEL, LLC and RRI)
III, LLC,)
Defendants.)

Videotaped deposition of MICHAEL THOMAS,
taken on behalf of the Plaintiffs, pursuant to the
stipulations contained herein, signature being waived,
in accordance with the Federal Rules of Civil
Procedure, before Kelly D'Amico, RPR, Certified Court
Reporter and Notary Public, at 1960 Satellite
Boulevard, Suite 4000, Duluth, Georgia, on the 2nd day
of February, 2022, commencing at 10:27 a.m.

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Videographer:

STYLES CALDWELL

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A P P E A R A N C E S (Continued)

Also present:

BETH RICHARDSON (via videoconference)

- - -

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1 Roof Inn?

2 A I did.

3 Q And that was the Red Roof Inn at 1960
4 North Druid Hills in Atlanta?

5 A That's correct.

6 Q All right. And we have other attorneys
7 on here that represent other properties so I just want
8 to confirm upfront, you did not ever work at the
9 Fulton Industrial Red Roof Inn?

10 A I did not.

11 Q And you did not ever work at the Old
12 National Red Roof Inn?

13 A I did not.

14 Q And you did not ever work at the Smyrna
15 Red Roof Inn?

16 A I did not.

17 Q Okay. So if I refer to the Red Roof Inn
18 today, whether we refer to it as North Druid Hills or
19 Buckhead, I'm talking about the North -- the one at
20 1960 North Druid Hills. Okay?

21 A Okay. Uh-huh (affirmative).

22 Q And when you worked there in 2012, was
23 that corporately owned?

24 A It was.

25 Q So it was not a franchisee?

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1 have gone around and been outside and seen the rooms.
2 Did you ever go around the building when you worked as
3 a front desk or a night auditor? Did you get outside?

4 A Several times, yes, sir.

5 Q Okay. And why would you do that?

6 A Well, working overnight it could be for a
7 variety of reasons. It could be just to stretch or be
8 nosy, see what's going on on the property, you know,
9 kind of check things out, see what's happening.

10 Q And so let's talk a little bit about what
11 training you received. Did they train you on, you
12 know, how to run the computers, or what kind of
13 training did you get about running the office being a
14 night auditor and front desk?

15 A My training was more or less, like you
16 said, computer, learning how to close out credit card
17 batches, settle the accounts, do the deposits, make
18 sure the inventory is accurate, make sure, you know,
19 no one is being overcharged, that sort of thing, yes,
20 sir.

21 Q Okay. So you did get training related to
22 revenue and how to like take money and what to do with
23 the money?

24 A I got training in cash handling
25 procedures, yes, sir.

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1 anything.

2 Q Okay. All right. I want to talk a
3 little bit about during that year what you were able
4 to observe.

5 Did you observe what you believed to be
6 girls selling themselves for sex?

7 A Yes, sir.

8 MR. ALLUSHI: Objection.

9 BY MR. MCDONOUGH:

10 Q All right. Tell me about what you saw
11 and why you thought that.

12 A Well, I've been working in hotels a long
13 time, so anytime you work at a hotel and you have a
14 lot of high-volume traffic at night where it's pretty
15 much gentlemen going to a certain door or certain
16 doors, you know kind of pretty much what's going on.
17 If you have two or three visitors come in the room at
18 night, you kind of come to the conclusion that nine
19 times out of ten they're either doing prostitution or
20 something that's drug related, yes, sir.

21 Q Okay. And during that time how many
22 girls do you think were engaged in that?

23 A A lot. My personal opinion, Red Roof had
24 a revolving door, like in and out. Off the top of my
25 head maybe five or six.

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1 when she come walking past the front with that little
2 box and them flip-flops, we know what it is. She's
3 fixing to turn a trick. She wants us to hold her
4 money until she gets through so she don't get robbed
5 pretty much.

6 Q And did she have anybody with her?

7 A She had some young people with her. I
8 remember there was a little black girl. I think she
9 was maybe 14, 15, real young.

10 Q And do you think she was turning tricks
11 or...

12 A Yes, sir.

13 MR. ALLUSHI: Objection.

14 BY MR. MCDONOUGH:

15 Q Tell me why you think that.

16 A I think that because they're in the room
17 together and a lot of times when the lady would come
18 out and a gentleman would come in she would kind of
19 come talk to us in the lobby for a couple of minutes
20 or kind of stand outside, walk, smoke a cigarette
21 until their business was done.

22 Q And did you see high traffic to that
23 room?

24 A Yes, sir. And they would come, you
25 know -- it just depends on the day. Sometimes the

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1 Q Did you ever see pimps like drop girls
2 off or pick them up or --

3 A One of them I -- you know, I can't think
4 of his name. Obviously it's been a while ago, but it
5 stands out because of the fact that he was in a
6 wheelchair and I thought that it was so interesting
7 that this guy in a wheelchair could be a pimp. Just,
8 you know, so I'm not sure where he came from, but he
9 was a regular.

10 And normally when he came he would bring
11 girls from somewhere else. So I don't know if he was
12 bringing them for out of town or where they were
13 coming, but it was -- it appeared as if they were
14 maybe being traded out, if you will, meaning maybe he
15 would bring some to that room and then the ones that
16 were at that room would leave from him -- would leave
17 with him, kind of like a pick-up and dropoff type
18 thing. So yes, sir.

19 Q And did that happen the entire time you
20 were there?

21 A Uh-huh (affirmative). And I think he
22 actually might have knew Kim or had maybe established
23 some type of relationship, if you will, because if --
24 like I say, if something happened and he wasn't there
25 to pay for it, she would override it to be like, okay,³⁴

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1 he rotated them out?

2 A No, they was different. Like he might
3 show up with two people and then they might go in that
4 room, but it's paid for, you know, so I couldn't
5 really say anything. And them two that might have
6 been in there, he might have done took them off
7 somewhere else or whatever.

8 But yeah, he was a regular face. He
9 would do the same thing, you know. Sometimes his
10 buddies and stuff would come and they would congregate
11 in the parking lot sometimes at night, you know, doing
12 what they do or whatever. So he -- he was a regular
13 face, yes, sir.

14 Q And did you see traffic going in and out
15 of that room --

16 A Yes, sir.

17 Q -- where he dropped these young girls
18 off?

19 A Yes, sir.

20 MR. ALLUSHI: Objection.

21 A The rooms that he normally paid for were
22 normally the rooms -- sorry, excuse me -- that they
23 were prostituting out of.

24 BY MR. MCDONOUGH:

25 Q Okay.

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1 A And it didn't take a rocket scientist.
2 You know when somebody is prostituting. It's common
3 sense. I've been working in hotels now for almost 20
4 years. You know when somebody is doing it and you
5 can't say that you don't.

6 Q And did he --

7 A I'm sorry.

8 Q I'm sorry. Did he pay for the room?

9 A Yes, sir.

10 Q Did any of those young girls ever come in
11 to extend the room or --

12 A They did. They would come in with cash
13 in their hands a lot of times. Maybe it might be 9:00
14 or 10:00 in the morning. Checkout is at 11:00. You
15 might have a situation where they might make some
16 money in the morning and come down half dressed to put
17 the money on the bill so that we don't harass and call
18 them and ask them, you know, "Are y'all checking out,
19 are y'all going to pay," sort of thing. So that was
20 something that was regular.

21 Q So you didn't need an ID or something to
22 extend past the first day?

23 A No, sir.

24 MR. ALLUSHI: Objection.

25 BY MR. MCDONOUGH:

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1 A Yeah, for some of them that might have
2 stayed for a certain amount of time like past 30 days,
3 she might take their taxes off. For some of them that
4 she might have knew, she might have gave a preferred
5 rate because of their consistency.

6 Q Okay. I want to go back to the person
7 that you described as a pimp that dropped these young
8 girls off that were there on and off.

9 A Uh-huh (affirmative).

10 Q Did you ever receive complaints about
11 them?

12 A Yes, yes.

13 Q Tell me how that worked.

14 A Well, it came to a point to where we got
15 so many complaints either by -- it was either because
16 of the noise or the noise that was coming from their
17 room or altercations with them being loud or their
18 company outside or people actually hearing the
19 activities of them doing what they were doing. So Jay
20 devised a plan to where he was like, well, what we'll
21 basically do, because, you know, they -- they're
22 paying so we can't just turn them away and say you
23 can't be here, so what we did was some of the
24 questionable guests or some of the ones that I guess
25 you would say had riffraff, we put them on the back

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1 side of the building, in the back far side toward the
2 corner with -- maybe like that little block. I think
3 it was like five or six rooms.

4 We would put them on the back side just
5 to kind of calm it down some so it would kind of
6 change like some of the negative feedback and reviews
7 we were getting so I don't have to check anybody out
8 and hear them talk about how they saw the nightwalker
9 walking past their rooms soliciting their husbands
10 sort of thing. So what we did was we put them on the
11 back side and the regular family-oriented individuals
12 we would, you know, put in the rest of the hotel for
13 the front.

14 Q And you said Jay. Is that Jay Moyer is
15 the one who told you to do that?

16 A Yes, sir.

17 MR. ALLUSHI: Objection.

18 BY MR. MCDONOUGH:

19 Q And just so I'm clear, because you were
20 talking about particularly this gentleman that dropped
21 off these young girls that you thought were being sold
22 for sex, there were complaints about them, the young
23 girls?

24 A Yes, sir. There were complaints about
25 prostitution in general --

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1 what was going on? Did they get out on the property?

2 A If you're a general manager, an
3 operations manager or a district manager even for that
4 much, there's no way you don't know what's going on
5 with your property. You know the ins and outs of it.
6 You come, you walk your property. You're doing stuff
7 with your engineers outside with lawning and
8 electrical. You know what's going on with your
9 building.

10 And particularly during this time, if I'm
11 not mistaken, we had begun to do a renovation. So he
12 was there a little bit more because he was in and out
13 of the rooms. They were ordering floors and TVs and
14 doing a couple of things. Jay knew what was going on.
15 As far as with the young girls, prostitution, there's
16 no way that he couldn't have. I think that it was a
17 matter of the fact that they were paying guests --

18 MR. ALLUSHI: Objection.

19 A -- and that he was making revenue and
20 that maybe in his mind he thought putting them on the
21 back side would kind of solve the situation where
22 would it be a win-win for both and we would still hit
23 our numbers and everything would be okay. I think
24 that's probably what maybe he was trying to do.

25 BY MR. MCDONOUGH:

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1 Q And regardless of what he may or may not
2 have thought, when you told him about that, he
3 directed you to move them to the back?

4 A Yes, sir.

5 MR. ALLUSHI: Objection.

6 BY MR. MCDONOUGH:

7 Q You indicated that you talked to them
8 when they came to the front desk, these young girls,
9 and they paid for extensions, I believe; right?

10 A Yes, sir.

11 Q Were there any other times that you
12 interacted with the -- any of the young people that
13 were being sold for sex?

14 A No, sir. Just seeing them in passing,
15 meaning on my way to work. I might say hi if I see
16 you standing up there because you see me walking in;
17 but no, no, sir.

18 Q And did you see any -- I think you
19 described it a little bit earlier, but did you see any
20 violence associated with the pimps and the girls?

21 A Yeah, you know, they have altercations.
22 They might, you know, fight in the parking lot or
23 something is going on and he might drag her in the
24 room, you know. It's -- it's tricky because you
25 really -- there's only so -- you really can't do

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1 anything about some things. So it kind of puts you in
2 a really weird position when you see stuff, yeah. But
3 I've seen where it was them arguing or fighting or...

4 Q And when you saw somebody getting drug in
5 the room, arguing or fighting, again, were these
6 things you reported to -- to your general manager?

7 A Yes, sir. That's considered a
8 disturbance.

9 Q Okay. So you reported all of that?

10 A Yes, sir.

11 Q All right. Did they ever direct you to
12 call the police?

13 A No, sir.

14 Q And did you ever call the police?

15 A No, sir.

16 Q And why didn't you call the police?

17 A Well, a couple of reasons. I look at it
18 from the standpoint of if I'm the front desk agent and
19 you're the general manager or the district manager, if
20 I bring to you what's going on, whatever you say is a
21 solution is what it is. I don't -- it's not -- I feel
22 like that's kind of overstepping my bounds to go call
23 the police and I'm not the manager of their property,
24 if my life is not directly involved.

25 From what I know I don't recall being

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1 trained on any policies or procedures being in place
2 where they said, well, if this sort of thing happens
3 you're supposed to call the police. To the knowledge
4 and training that I had, everything was you inform
5 your immediate supervisor as to what's going on and
6 they deal with it and that's what happened.

7 Q And the Moyer plan was if there's a
8 problem, put it in the back?

9 MR. ALLUSHI: Objection.

10 A That is correct.

11 BY MR. MCDONOUGH:

12 Q Any question in your mind based on your
13 experience and your observations that there were
14 basically children being sold for sex out of that
15 hotel?

16 MR. ALLUSHI: Objection.

17 A Huh-uh (negative). They were young.

18 BY MR. MCDONOUGH:

19 Q Any question in your mind that there were
20 pimps involved with these children that were being
21 sold for sex?

22 MR. ALLUSHI: Objection.

23 A No, sir.

24 BY MR. MCDONOUGH:

25 Q Any question in your mind that your

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1 looking for.

2 Q And --

3 A And my phone number hasn't changed. My
4 phone number has been the same for years.

5 Q Is it the same phone number you had when
6 you worked at the Red Roof? And just to clarify, you
7 worked at the Red Roof Inn Buckhead as you testified
8 earlier in 2012 you said; correct?

9 A The Red Roof Inn Buckhead that's located
10 at North Druid Hills; that's correct.

11 Q And when did you start working there?

12 A I'm not sure of the start date. You guys
13 would be able to verify that by looking into your
14 records.

15 Q Was it within that one year, 2012?

16 A Uh-huh (affirmative).

17 Q Is it fair to say that it was sometime
18 between May 2012 and October of 2012?

19 A I'm not sure. I can't say yes or no.

20 Q Okay. But you -- you were there -- were
21 you there six months, were you there eight months,
22 were you there four months?

23 A I was there longer than six months,
24 longer than eight months, yes.

25 Q So you think you were there the whole

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1 A Uh-huh (affirmative).

2 Q That was the policy at the time; correct?

3 A Yeah, if something -- you know, if
4 something happens, you inform your supervisor.

5 Q And you did that?

6 A I did.

7 Q Do you know what a do-not-rent list is?

8 A Uh-huh (affirmative).

9 Q And what's your understanding of what
10 that is?

11 A A do-not-rent list is a list that we put
12 people that we are -- don't want to entertain anymore,
13 people that we refuse to service.

14 Q Yeah. Did you ever put anybody on the
15 do-not-rent list while you were there?

16 A I'm pretty sure I put a whole bunch of
17 people on it. Now, if they followed and observed it
18 is a question that you should ask. I put a whole
19 bunch of people on the do-not-rent list, but that
20 don't necessarily mean that they're going to follow
21 that.

22 I might put somebody on the do-not-rent
23 list and come check -- come clock in at work and
24 they're in a room in the hotel, and so even though I
25 put somebody on the do-not-rent list, that's not -- I

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1 might put them on there, but that's still a manager's
2 discretion as to if they're going to rent to them or
3 not. And if I put somebody on the do-not-rent list
4 and the managers are still going to rent to them, I
5 don't have anything to say about that.

6 Q And did you put any of the -- this
7 alleged pimp that you testified earlier on the
8 do-not-rent list?

9 A I did, one in particular, because he came
10 and charged me up one night talking about he had some
11 money missing out of his room. And I had nothing to
12 do with it because I'm working at the front desk, but
13 I'm -- yeah, uh-huh.

14 Q Okay. And --

15 A And he still was allowed to stay there.
16 And after that incident happened, it don't -- you
17 know, it doesn't really pay to do it because it's not
18 going to be adhered to.

19 Q And who was not adhering to it?

20 A Management, I would imagine. They see
21 the list. They know who is on the list, you know.
22 Just because they management don't mean that they
23 don't do check-ins and check-outs. They know exactly
24 everything that's going on at the property.

25 Q So --

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1 A Uh-huh (affirmative).

2 Q I just want her to take down the entire
3 question.

4 There's no law or rule or regulation not
5 allowing somebody to have an underage person staying
6 at the hotel whether it could be their daughter, it
7 could be their niece; correct? And then you testified
8 earlier that there were people in the hotel, families
9 staying; correct?

10 A There were families staying, but these
11 individuals to whom we were referring to were the
12 individuals that were getting dropped off that had men
13 coming out -- in and out of their rooms. These
14 individuals that we're referring to are the ladies
15 that would come downstairs half dressed to pay on
16 their rooms or the ladies that I would see coming to
17 work that's hanging on the balcony in a negligee.
18 These were the ones that you're referring to. They
19 weren't -- these weren't those type of individuals.

20 Q Now, do you know what the law is as far
21 as discriminations against somebody based on their --
22 on their appearance or, you know, not allowing them
23 into the property based on their appearance? Do you
24 know what the discrimination law is?

25 A I know that -- yes, sir. I know that I 103

C E R T I F I C A T E

I hereby certify that the foregoing transcript was reported, as stated in the caption; that the witness was duly sworn and elected to waive signature in this matter; that the colloquies, questions and answers were reduced to writing under my direction; and that the foregoing pages 1 through 132 represent a true, correct, and complete record of the evidence given.

I further certify that I am not disqualified for a relationship of interest under O.C.G.A. 9-11-28(c); that I am a Georgia Certified Court Reporter here as a representative of D'Amico & Associates; that I/D'Amico & Associates was contacted by the party taking the deposition to provide court reporting services for this deposition; that I will not be taking this deposition under any contract that is prohibited by O.C.G.A. 15-14-37(a) and (b) or Article 10.B of the Rules and Regulations of the Board; and by the attached disclosure forms I confirm that I/D'Amico & Associates is not a party to a contract prohibited by O.C.G.A. 15-14-37 (a) or (b).

The above certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript, unless said disassembly or photocopying is done under the auspices of D'Amico & Associates and the signature and original seal is attached thereto.

This, the 21st day of February, 2022.



KELLY D'AMICO, RPR, CCR-B-1322